



December 6, 2004

Division of Dockets Management  
Food and Drug Administration  
5630 Fishers Lane, Room 1061  
Rockville, MD 20852

Dear Sir or Madam:

I am writing to comment on the Food and Drug Administration's proposed rule on *Salmonella Enteritidis* in shell eggs. The Fort Recovery Equity, Inc. is a Co-op made up of 65 small farmers that produce over 140 million dozen eggs per year representing the country's 8<sup>th</sup> largest company. We currently have all our production committed to the successful Ohio Egg Quality Assurance program. Our company puts egg safety and quality as our first and foremost obligation.

Between the Ohio Egg Quality Assurance Program (OEQAP) and regulations enforced by the Ohio Department of Agriculture (ODA), we already have a heavy compliance burden with both entities that at times oversee the same issues. An addition burden from the federal government will serve no purpose is making already safe eggs safer.

I respectfully urge the FDA to consider the following:

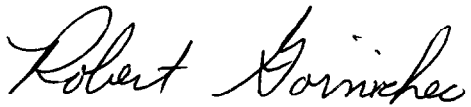
1. Recognize the OEQAP and it's successful track record in providing safe wholesome eggs to the consumer
2. Recognize that USDA and the Ohio Department of Agriculture already have successful programs in regulating our egg packing facilities.
3. Review the science and encourage those who vaccinate to environmentally test once shortly before depopulation.
4. Review and science and consult with National Poultry Improvement Plan representatives about the effectiveness of wet cleaning. Consider how this may make the environment worse with "bacterial bloom" from providing wet warm conditions.
5. Consider the financial burden imposed on companies like ours who sell heavily to breakers. Will a positive SE flock have a market and at what price? Will there be an indemnity program for those who comply fully with all regulations.

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In closing, I remain confused that any regulations on SE prevention are needed at all from FDA. Eggs when properly refrigerated and cooked fully present no health risk. Our packaging clearly contains "Safe Handling Instructions" providing consumers with this information. Where has common sense gone? Be that as it may, The Fort Recovery Equity remains committed to delivering a safe product to our customers. As we have in the past, we will always comply with the law to the very best of our ability and resources. If we are to survive in this business the regulations must be science based and practical. I urge you to do the right thing for both the producer and the consumer.

Sincerely,

A handwritten signature in black ink, reading "Robert Gornichec". The signature is written in a cursive, flowing style with a large initial "R".

Robert Gornichec  
President and CEO  
Ft. Recovery Equity, Inc.